

41184

UNITED STATES DISTRICT COURT

District of Delaware

PLAINTIFF

MICHAEL ROBERTS

V. DEFENDANT AND THIRD PARTY PLAINTIFF

THIRD PARTY SUMMONS IN A
CIVIL ACTIONALTAIR LINES S.A
(referred to in Complaint
as M/V SHINANO Reefer in
personam)

Case Number:

05-454 (GMS)

V. THIRD PARTY DEFENDANT

ACTIVE CRANE RENTALS, INC.

To: Name and address of Third Party Defendant

Active Crane Rentals, Inc.
103 Water Street-Newport
Wilmington, DE 19804

YOU ARE HEREBY SUMMONED and required to serve on

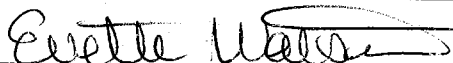
PLAINTIFF'S ATTORNEY (name and address)

Peter E. Hess, Esquire
Law Offices of Peter E. Hess
P.O. Box 514
Wilmington, DE 19803DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)Michael B. McCauley
Palmer, Biezup & Henderson, LLP
1223 Foulk Road
Wilmington, DE 19803

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK



(By) DEPUTY CLERK

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

FEB 09 2006

DATE

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 2/17/06
NAME OF SERVER Richard Ehrlich	TITLE Process Server

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): Summons & Complaint issued upon Active Crane Rentals, Inc. was served at 103 Water Street, Newport, DE and accepted by Anecia Wilson (Dispatch). 302-998-1000

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

2/17/06

Date

Signature of Server

Dennis Richman's Services
1617 JFK Blvd., ste. 820
Phila., PA 19103

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.